

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

NEW YORK LIFE INSURANCE AND
ANNUITY CORPORATION,

Plaintiff,

v.

BARBARA BROWN FAMILY TRUST
DTD 3/12/2010; BARBARA JEAN
BROWN LIVING TRUST DTD
3/12/2010; SHARON KAY BRITTON
AND KEN BRITTON, AS CO-
TRUSTEES OF THE BARBARA JEAN
BROWN FAMILY TRUST DTD
3/12/2010; BARBARA JEAN BROWN
LIVING TRUST DTD 5/29/2018; BOB
SHELTON, AS TRUSTEE OF
BARBARA JEAN BROWN LIVING
TRUST DTD 5/29/2018,

Defendants.

Civil Action No. 4:21-cv-00490-O

ORDER

Before the Court is the parties' Agreed Motion to Release Interpleader Funds to Bob Shelton, as Trustee of Barbara Jean Brown Living Trust DTD 5/29/2018 (ECF No. 40), filed December 12, 2021; and Plaintiffs' Response to the Agreed Motion (ECF No. 41), filed December 21, 2021. Counsel for Defendant Bob Shelton "clarified and represented that this instant Motion does not seek to withdraw the portion of the Interpleader Funds representing the \$5,000 the Court awarded to NYLIAC for its attorney's fees." ECF No. 41. Having considered the Motion and Response, the Court finds that the Motion should be and is hereby **GRANTED**.

On May 4, 2021, the Court entered an Order granting Plaintiff's Motion to Deposit Funds in the Registry of the Court. ECF No. 13. Because Plaintiff was unable to determine factually or

legally who was entitled to the death benefits, the Court directed the clerk to hold the following amounts in the registry of the Court: \$14,058.25 plus interest (under Policy XXXXX460) and \$33,187.56 plus interest (under Policy XXXXX198). *Id.* Collectively, the total sum of \$48,518.22 is the “Interpleader Funds.”

The clerk of court is hereby **DIRECTED** to release and distribute the Interpleader Funds (less the \$5,000 in attorney’s fees awarded to NYLIAC) in this cause to Bob Shelton, as Trustee of Barbara Jean Brown Living Trust DTD 5/29/2018. All other claims and causes of action are hereby denied.

SO ORDERED on this **20th** day of **January, 2022.**


Reed O'Connor
UNITED STATES DISTRICT JUDGE